



IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/623,050
	Filing Date	July 18, 2003
	First Named Inventor	Michael J. Davis
	Art Unit	1773
	Examiner Name	Sheeba Ahmed
	Attorney Docket Number	125436-2
Total Number of Pages in This Submission		3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to Restriction Requirement		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Mueller and Smith, LPA		
Signature			
Printed name	Jerry K. Mueller, Jr.		
Date	October 11, 2005	Reg. No.	27,576

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Gail James	Date	October 11, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Appln. No. 10/623,050
Response dated October 11, 2005
Reply to Office Action of September 22, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Michael J. Davis, *et al.*
Serial No. : 10/623,050
Filed: : July 18, 2003
For: : Poly(Phenylene Ether)-Polyvinyl Thermosetting
Adhesive Films, And Substrates Made Therefrom
TC/AU : 1773
Examiner : Sheeba Ahmed
Attorney Docket No. : 125436-2

HONORABLE COMMISSIONER FOR PATENTS
MAIL STOP AMENDMENT
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The outstanding Office action mailed September 22, 2005 restricted the claims pursuant to 35 U.S.C. § 121 between:

Group I Claims 1-20, 33, 36-42, 49
Group II Claims 21-32, 34, 35, 43, 45
Group III Claims 44, 46-48, 50-73.

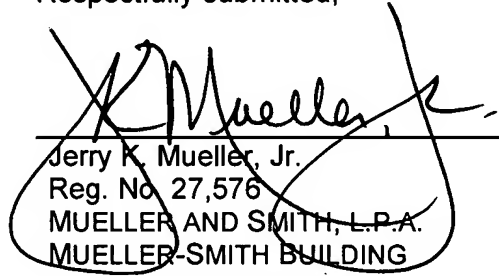
Applicants respectfully elect to initially prosecute the Group I claims with traverse and without prejudice to fling divisional applications on the non-elected claims.

The Examiner justifies the restriction requirement stating that the intermediate and final products also are useful in adhesive coating applications. The flaw in this logic is that it assumes that the composition of Group I functions other than as an adhesive in the intermediate product in the Group II claims and in the preferred final product in the Group III claims. Obviously, the composition of the Group I claims has adhesive properties in order for it to be used in forming a laminate. Thus, the Examiner attempts to justify the restriction of dependent claims based on a property that is present and used in both the intermediate and final products being claims in the Group II and Group III claims, respectively.

This is especially true since even the title and opening paragraph under the background section extol the adhesive properties that the inventive thermoset compositions possess. Restriction the composition based on the degree of cure of a thermoset composition, vis-à-vis, curable, partially cured, and fully cured as a laminate, makes little sense to Applicants.

Applicants submit that the restriction requirement is improper and its withdrawal, then, respectfully is requested.

Respectfully submitted,



Jerry K. Mueller, Jr.
Reg. No. 27,576
MUELLER AND SMITH, L.P.A.
MUELLER-SMITH BUILDING
7700 Rivers Edge Drive
Columbus, Ohio 43235-1355
Tel.: 614-436-0600
Fax: 614-436-0057
email: smueller@muellersmith.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on October 11, 2005 with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Gail E. James